

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2218

George Brown, Jr.,

Appellant,

v.

Gary Kempker,

Appellee.

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* Appeal from the United States
* District Court for the Western
* District of Missouri.
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* [UNPUBLISHED]
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Submitted: March 1, 2005

Filed: March 4, 2005

Before WOLLMAN, MORRIS SHEPPARD ARNOLD, and MELLOY, Circuit
Judges.

PER CURIAM.

In this appeal after remand, George Brown, Jr. challenges the district court's¹ adverse grant of summary judgment and denial of leave to amend in his 42 U.S.C. § 1983 action in which he brought a claim of retaliation. Upon careful de novo review, see Kincaid v. City of Omaha, 379 F.3d 799, 803-04 (8th Cir. 2004), we

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable William A. Knox, United States Magistrate Judge for the Western District of Missouri.

conclude the district court properly granted summary judgment because there was no evidence that defendant Gary Kempker was personally involved in the alleged retaliation or was made aware that Mr. Brown was raising complaints of retaliation by prison staff. See McDowell v. Jones, 990 F.2d 433, 435 (8th Cir. 1993). We also conclude that the denial of Mr. Brown's motion for leave to amend was not an abuse of discretion.

Accordingly, we affirm. See 8th Cir. R. 47A(a).
